



Procedure: Release of Information

Functional Area: VIII Certification, Eligibility & Coordination of Services

Section: J 3

Approval Date: 6/2015

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Purpose

Provide guidance on circumstances in which client/applicant information may be released and method of release.

Sharing Information in Client's Charts

Frequently local WIC agencies will receive requests for information from other individuals or programs regarding WIC clients such as social workers, school counselors, police officers, attorneys and others.

Information contained within a WIC client's chart cannot be released to any other parties unless:

- ◆ The requesting agency or party submits a signed release from the client or
- ◆ the request comes from the parent of a child or
- ◆ Served with a subpoena or search warrant to produce client records.
See procedure later in this section.

When local agency WIC staff would like to share information in an applicant or client's chart, a release of information form must be signed by the client before any information can be shared. If the client is a minor the release of information form, must be signed by the minor's parent or legal guardian. An applicant/client may refuse to sign a release form.

Confidential applicant and participant information includes any information about an applicant or participant, whether it is obtained from the applicant or participant, another source, or generated as the result of WIC application or certification, or participation, that individually identifies an applicant or participant and/or family member(s).

Confidential information includes sharing scheduled WIC appointments with another individual or agency.

Requesting Information About WIC Clients From Another Source

If a WIC local agency wishes to obtain information from another individual or agency (i.e., physician, ADC, foster care), a WIC Release of Information Form must be signed by the client (or if a minor, then by the minor's parent or legal guardian) before requesting any information.

A copy of the WIC Release of Information Form may be found later in this procedure.

The exception to this would be those persons indicated by name on the back of the WIC Certification Signature Form. These persons are also

**Requesting Information
About WIC Clients From
Another Source (cont.)**

guardians/parents of the minor WIC client.

When a WIC applicant or client is asked by WIC to have information about themselves requested from another person, agency, or program, it should be made clear to them that this in no way impacts their eligibility

**Parents Who Request
Children's WIC
Information**

On occasion WIC providers may receive a request for information from the parent of a child who did not enroll that child in the WIC program. The parent of a child may have access to the information that they provided to WIC. However, the individual must prove that they are the parent (i.e. birth certificate, custody papers, etc.) of the child.

If the parent no longer has legal responsibility for that child, and the child has been assigned a legal guardian, then the legal guardian controls access to the chart.

**Requests by Clients to
See Their Own Charts**

Clients, applicants or parents of minors who request to see their own or their child's file have the right to access all information they provided to WIC. This would include:

- Certification form
- Assessment forms
- Individual Plans of Care
- Proxy authorization forms
- Signed release of information forms
- Signed consent to participate forms
- Statement of Status forms and
- Any written notes or information supplied by the applicant/client

Staff should not provide any information in the file or record, such as documentation of income provided by third parties or any information which serves as a staff assessment of the client's condition or behavior without checking with their legal counsel and the State WIC office.

**Requests From Other
WIC/CSFP Agencies**

Requests for information by WIC providers and CSFP agencies within the state of Nebraska to another Nebraska WIC/CSFP agency do not need a completed Release of Information Form. A release statement to share information between Nebraska WIC provider/CSFP agencies is part of the client agreement.

Requests for information by WIC and CSF programs outside the state of Nebraska should be answered as soon as possible. A signed release form is not necessary to release information to these programs. For documentation in these instances see below.

When an individual from another WIC or CSFP agency calls for information regarding a WIC client, they should be asked for some type of information

**Requests From Other
WIC/CSFP Agencies
(cont.)**

which would indicate that they are from a WIC local agency, who is now serving the client. For example, you could ask them to provide the client's family I.D. number, birth date, or similar data.

When information is released over the telephone to another WIC or CSFP agency, at least the following information should be documented in the client's chart:

- ◆ date,
- ◆ information provided,
- ◆ staff member providing information,
- ◆ to whom information was provided (i.e. agency and staff name).

If information is sent through the mail, what was sent and to whom should be documented in the client's chart.
